

**UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF NORTH CAROLINA  
DURHAM DIVISION**

In re:

**Jimmy O'Neal Carden**

S.S. No.: xxx-xx-9695

Mailing Address: 3610 New Sharon Church Road, Hillsborough, NC  
27278-

**Case No. 11-80765**

Debtor.

**NOTICE TO CREDITORS AND PROPOSED PLAN**

The Debtor has filed for relief under Chapter 13 of the United States Bankruptcy Code on May 11, 2011.

The filing automatically stays collection and other actions against the Debtor, Debtor's property and certain co-debtors. If you attempt to collect a debt or take other action in violation of the bankruptcy stay, you may be penalized.

Official notice will be sent to creditors, which will provide the name and address of the Trustee, the date and time of the meeting of creditors, and the deadline for objecting to the plan. The official notice will include a proof of claim form.

A creditor must timely file a proof of claim with the Trustee in order to receive distributions under the plan. The Trustee will mail payments to the address provided on the proof of claim unless the creditor provides another address in writing for payments. If the claim is subsequently assigned or transferred, the Trustee will continue to remit payment to the original creditor until a formal notice of assignment or transfer is filed with the Court.

Attached is a copy of the Debtor's proposed Chapter 13 Plan consisting of 2 documents entitled: (1) Chapter 13 Plan and (2) Ch. 13 Plan - Debts Sheet (Middle). This is the same Plan that has already been filed with the Court.

Dated: June 1, 2011

**LAW OFFICES OF JOHN T. ORCUTT, P.C.**

/s John T. Orcutt

John T. Orcutt  
N.C. State Bar No. 10212  
Counsel for the Debtor  
6616-203 Six Forks Rd.  
Raleigh, N.C. 27615  
Tel. No. (919) 847-9750

circular.wpt (rev. 5/17/09)

# CH. 13 PLAN - DEBTS SHEET (MIDDLE DISTRICT - DESARDI VERSION)

Date: 4/19/11

Lastname-SS#: Carden-9695

## RETAIN COLLATERAL & PAY DIRECT OUTSIDE PLAN

Creditor Name	Sch D #	Description of Collateral

## SURRENDER COLLATERAL

Creditor Name	Description of Collateral

## ARREARAGE CLAIMS

Creditor Name	Sch D #	Arrearage Amount	(See †)
			**
			**
			**
			**
			**
			**
			**
			**
			**

## REJECTED EXECUTORY CONTRACTS/LEASES

Creditor Name	Description of Collateral

## LTD - DOT ON PRINCIPAL RESIDENCE & OTHER LONG TERM DEBTS

Creditor Name	Sch D #	Monthly Contract Amount	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
			N/A	n/a		
			N/A	n/a		
			N/A	n/a		
			N/A	n/a		

## STD - SECURED DEBTS - FMV

Creditor Name	Sch D #	FMV	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
			6.00			
			6.00			
			6.00			
			6.00			

## STD - SECURED DEBTS - 100%

Creditor Name	Sch D #	Payoff Amount	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
C & F Finance	1	\$11,605	6.00	\$67	\$274.36	2008 Pontiac
			6.00			
			6.00			
			6.00			
			6.00			

ATTORNEY FEE (Unpaid part)		Amount
Law Offices of John T. Orcutt, P.C.		\$3,000
SECURED TAXES		Secured Amt
IRS Tax Liens		
Real Property Taxes on Retained Realty		
UNSECURED PRIORITY DEBTS		Amount
IRS Taxes		\$477
State Taxes		\$368
Personal Property Taxes		
Alimony or Child Support Arrearage		
CO-SIGN PROTECT (Pay 100%)	Int. %	Payoff Amt
All Co-Sign Protect Debts (See*)		
GENERAL NON-PRIORITY UNSECURED		Amount**
DMI=	None(\$0)	None(\$0)

## PROPOSED CHAPTER 13 PLAN PAYMENT

\$ **\$303** per month for **60** months, then

\$ **N/A** per month for **N/A** months.

Adequate Protection Payment Period: **37.14** months.

Sch D # = The number of the secured debt as listed on Schedule D.

Adequate Protection = Monthly 'Adequate Protection' payment amt.

† = May include up to 2 post-petition payments.

\* Co-sign protect on all debts so designated on the filed schedules.

\*\* = Greater of DMI x ACP or EAE (Page 4 of 4)

Ch13Plan\_MD (New DeSardi) (6/24/09) © John T. Orcutt

## Other Miscellaneous Provisions

Plan to allow for 3 "waivers".

## **CERTIFICATE OF SERVICE**

I, Kaelyn McCollum , the undersigned, certifies that a copy of the foregoing **NOTICE TO CREDITORS AND PROPOSED PLAN** was served by automatic electronic noticing upon the following Trustee:

Richard M. Hutson, II  
Chapter 13 Trustee

and was also served by first class U.S. mail, postage prepaid, to the following parties at their respective addresses:

**All the creditors set forth on the mailing matrix filing in this case.**

/s Kaelyn McCollum  
Kaelyn McCollum

Employment Security Commission  
Attn: Benefit Payment Control  
Post Office Box 26504  
Raleigh, NC 27611-6504

NC Department of Revenue  
c/o Reginald S. Hinton  
Post Office Box 25000  
Raleigh, NC 27640-5000

Duke University Hospital\*\*  
PO Box 15000  
Durham, NC 27704

Credit Bureau  
Post Office Box 26140  
Greensboro, NC 27402

Absolute Collection Service \*\*  
421 Fayetteville Street Mall  
Suite 600  
Raleigh, NC 27601

Internal Revenue Service (MD)\*\*  
Post Office Box 7346  
Philadelphia, PA 19101-7346

NC Child Support  
Centralized Collections  
Post Office Box 900006  
Raleigh, NC 27675-9006

C&F Finance Company  
P.O. Box 38456  
Richmond, VA 23231-0656

Medco CHP, L.L.C.  
100 Parsons Pond Drive  
Franklin Lakes, NJ 07417

Equifax Information Systems LLC  
P.O. Box 740241  
Atlanta, GA 30374-0241

Continental Finance  
Post Office Box 11743  
Wilmington, DE 19850-1743

North Carolina Department of Rev  
c/o NC Department of Justice  
Post Office Box 629  
Raleigh, NC 27602-0629

Experian  
P.O. Box 2002  
Allen, TX 75013-2002

Credit Bureau of Greensboro\*\*  
Post Office Box 26140  
Greensboro, NC 27402-0040

North Carolina Department of Rev  
c/o Reginald S. Hinton  
Post Office Box 25000  
Raleigh, NC 27640-5000

Trans Union Corporation  
P.O. Box 2000  
Crum Lynne, PA 19022-2000

Credit Financial Services\*\*\*  
Post Office Box 451  
Durham, NC 27702-0451

North Carolina Dept of Revenue\*\*  
Post Office Box 1168  
Raleigh, NC 27602-1168

ChexSystems  
Attn: Consumer Relations  
7805 Hudson Road, Ste. 100  
Woodbury, MN 55125

Duke Energy\*\*\*  
P.O. Box 70515  
Charlotte, NC 28201-1046

Orange County Tax Collections\*\*  
PO Box 8181  
Hillsborough, NC 27278

Internal Revenue Service (ED)\*\*  
Post Office Box 7346  
Philadelphia, PA 19101-7346

Duke Private Diagnostic Clinic  
Post Office Box 530  
Durham, NC 27702-0530

Penguin Pawn & Loan  
4837 Apex Hwy  
10-B  
Durham, NC 27713

US Attorney's Office (ED)\*\*  
310 New Bern Avenue  
Suite 800, Federal Building  
Raleigh, NC 27601-1461

Duke University Health System  
Post Office Box 91040  
Durham, NC 27708-1040

RCS  
CSRECS01  
Post Office Box 1022  
Wixom, MI 48393-1022

Speedy Payday  
C/o SPD Financial Services, LLC  
2150 S. 1300 E  
Ste 500  
Salt Lake City, UT 84106

Springleaf Financial  
3803 Guess Road  
Suite D  
Durham, NC 27705

The Law Offices of John T. Orcutt  
6616-203 Six Forks Road  
Raleigh, NC 27615

US Attorney's Office (MD)\*\*  
Middle District  
Post Office Box 1858  
Greensboro, NC 27502-1858

US Fast Cash  
3531 P. Street NW Ste 111  
Miami, OK 74355